

PERMANENT RETENTION OF RECORDS

MCL 710.27 and Child Placing Agency Rule 400.12713 require the permanent retention of children's adoption records. After the final order of adoption has been filed in the case record, the files of all DHHS supervised children placed in adoption must be purged of all duplicate documents.

Contents of Records

The foster care record is combined with the adoption record. The contents of the adoption record are listed in ADM 1020. The contents of the foster care record are listed in FOM 722-5 and include at least one photograph of the child. Additional photographs of family members should be given to the child or the adoptive parent(s) prior to finalization. The record must not include memorabilia, gifts or valuables; those items must be given to the adoptive child or adoptive parent(s) prior to adoption.

Copies of closing documentation as described in ADM 0980, Closing Documentation, must be included in the adoption case record.

Access to Closed Records

After adoption finalization, all adoption records are closed. The records must be kept in separate locked files and shall not be open to inspection or copying, except as stated below in Disposition of Records. Although local DHHS offices and contracted adoption agencies must not routinely permit persons outside the office or agency to inspect or copy any part of a closed adoption record, persons outside of a local office or agency may access a closed adoption case record through any of the following:

- A court order.
- The Central Adoption Registry [MCL 710.68].
- During a licensing review or investigation.
- A request from the Office of Children's Ombudsman.

**Disposition of
Records for DHHS
Supervised
Children**

For both DHHS and contracted adoption agency cases, the local DHHS office or contracted agency must retain all adoption case records for one year after finalization of the adoption. One year past the adoption finalization date, a contracted adoption agency must send the original record to the local DHHS office; copies must not be maintained by the contracted adoption agency; see licensing rule R400.12713-Adoption Placement record. The local DHHS office must forward all records (both DHHS adoptions and contracted agency adoptions) to DHHS Central Office. The contracted adoption agency or local DHHS office must not retain any adoption records of DHHS-supervised children or dispose of them in any way other than that described in this policy.

Records **must** be sent to:

Michigan Department of Health and Human Services
Document Control Section
235 S. Grand Avenue
P.O. Box 30037
Lansing, Michigan 48909

**Adoptive Family
Records**

Following the finalization of adoption, adoptive family files must be retained in the local DHHS office or contracted adoption agency for three years and may be destroyed after the three year period.